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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/824,364	04/02/2001	Ismat Ullah	HX96 (DIV)	7174	
75	90 02/26/2003				
Marla J. Mathias			EXAMINER		
Bristol-Myers Squibb Company Patent Department			WEBMAN,	WEBMAN, EDWARD J	
P.O. Box 4000 Princeton, NJ (08543-4000		ART UNIT	PAPER NUMBER	
			1617		
			DATE MAILED: 02/26/2003	DATE MAILED: 02/26/2003	

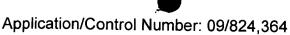
Please find below and/or attached an Office communication concerning this application or proceeding.

	Applicati n No. Applicant(s) U9/824364 ULCAtt						
Office Action Summary	09/824364	u	CATI	 			
	WESMAN	Examiner Group Art Unit WESMAN 16.7					
—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—							
Peri d for Reply	1						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO OF THIS COMMUNICATION.	EXPIRE	MONTH(S)	FROM THE MAI	LING DATE			
 Extensions of time may be available under the provisions of 37 CFR 1.13 from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, such period shall, by default, experience to reply within the set or extended period for reply will, by statute 	within the statutory minim pire SIX (6) MONTHS from	um of thirty (30) n the mailing date	days will be consider of this communicati	ed timely.			
Status	, ,						
Responsive to communication(s) filed on	11/13/02						
☐ This action is FINAL.	•						
☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 1 1; 453 O.G. 213.							
Disp sigion of Claims				q			
Claim(s) 24-47	is/are p	is/are pending in the application.					
Of the above claim(s)							
☐ Claim(s)	is/are a	is/are allowed.					
☐ Claim(s)————————————————————————————————————							
☐ Claim(s)	is/are o	is/are objected to.					
Claim(s) 28-47	are sul	are subject to restriction or election requirement.					
Application Papers		roquire	inone.				
☐ See the attached Notice of Draftsperson's Patent Drawing	Review, PTO-948.						
☐ The proposed drawing correction, filed on is ☐ approved ☐ disapproved.							
☐ The drawing(s) filed on is/are objected to by the Examiner.							
☐ The specification is objected to by the Examiner.							
☐ The oath or declaration is objected to by the Examiner.				,			
Pri rity under 35 U.S.C. § 119 (a)-(d)							
 □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 9(a)-(d). □ All □ Some* □ None of the CERTIFIED copies of the priority documents have been □ received. 							
☐ received in Application No. (Series Code/Serial Number) ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).							
*Certified copies not received:							
Attachm nt(s)							
☐ Information Disclosure Statement(s), PTO-1449, Paper No(s)	nterview Sumn	nary, PTO-413				
□ Notice of Reference(s) Cited, PTO-892		otice of Informal Patent Application, PTO-152					
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948							
Office Acti in Summary							

U. S. Patent and Trademark Office PTO-326 (Rev. 9-97)

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Part of Paper No. 6



Art Unit: 1617

Applicant's amendment engenders a new election of species requirement:

This application contains claims directed to the following patentably distinct species of the claimed invention: a) method of use with a tablet with a core and coat b) a method of use with granules c) a method of use with tablets of compressed coated granules.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, a method of use with is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over



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the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement is traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Webman whose telephone number is (703) 308-4432. The examiner can normally be reached on Monday to Friday 9 Am 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S. Padmanabhan can be reached on (703) 305-1877. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3592 for regular communications and (703) 305-3592 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1235.

Webman/LR January 29, 2003

